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**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

X CORP.,

Plaintiff,

v.

BRIGHT DATA LTD.,

Defendant.

Case No. 3:23-cv-03698-WHA

**JOINT STIPULATION AND
 [PROPOSED] ORDER REGARDING
 BRIEFING SCHEDULE FOR BRIGHT
 DATA'S MOTION TO DISMISS**

Pursuant to Civil L.R. 6-1 and 7-12, and subject to the Court's approval, Plaintiff X Corp. and Defendant Bright Data Ltd. ("Bright Data") submit this stipulation regarding a briefing schedule for Bright Data's Motion to Dismiss the Amended Complaint.

WHEREAS, on July 26, 2023, X Corp. filed a Complaint asserting claims of Breach of Contract, Tortious Interference with Contract, and Unjust Enrichment;

1 WHEREAS, on October 25, 2023, Bright Data filed its Motion to Dismiss the Initial
2 Complaint seeking dismissal of X Corp.'s Tortious Interference Claim for lack of personal
3 jurisdiction and failure to state a claim, X Corp.'s Unjust Enrichment Claim for failure to state a
4 claim, and X Corp.'s Breach of Contract Claim to the extent it relied on X Corp. accounts opened
5 by Bright Data employees as the basis for an alleged contract between X and Bright Data. Dkt.
6 No. 22;

7 WHEREAS, on November 14, 2023, X Corp. filed its First Amended Complaint adding
8 three new claims: Trespass to Chattels; Unlawful, Unfair or Fraudulent Business Practices; and
9 Misappropriation. Dkt. No. 36;

10 WHEREAS, Bright Data's deadline to respond to the First Amended Complaint is
11 currently November 28, 2023 under Fed. R. Civ. P. 15(a)(3);

12 WHEREAS, Bright Data intends to renew its Motion to Dismiss X Corp.'s Tortious
13 Interference Claim for lack of personal jurisdiction and for failure to state a claim, its Unjust
14 Enrichment Claim for failure to state a claim, and any Breach of Contract claim based on a Bright
15 Data employee account, and will also seek dismissal of X Corp.'s three new claims under Rule
16 12(b)(6);

17 THEREFORE, in light of the holidays and X Corp.'s new claims, the parties have met and
18 conferred and agreed, subject to the Court's approval, upon the following briefing schedule for
19 Bright Data's Motion to Dismiss the First Amended Complaint, which does not impact any Court-
20 ordered deadline:

- 21 • Bright Data shall file its Motion to Dismiss the First Amended Complaint by December
22 22, 2023.
- 23 • X Corp. shall file its Opposition to Bright Data's Motion to Dismiss the First Amended
24 Complaint, if any, by January 22, 2024.
- 25 • Bright Data shall file a Reply in Support of its Motion to Dismiss the First Amended
26 Complaint, if any, by February 12, 2024.

27 As set forth in the accompanying Declaration of David A. Munkittrick, there have been no
28 other orders granting stipulations for time modifications in the case.

IT IS HEREBY STIPULATED AND AGREED.

Dated: November 28, 2023

Respectfully submitted,

/s/ David Harper

/s/ Colin Kass

David H. Harper*

Colin R. Kass*

Jason P. Bloom*

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CERTIFICATION

I, Colin R. Kass, am the ECF User whose identification and password are being used to file this Stipulation regarding the Briefing Schedule for Bright Data's Motion to Dismiss the Amended Complaint. In compliance with Civil L.R. 5-1(i)(3), I hereby attest that each other signatory has concurred in this filing.

/s/ Colin Kass

PURSUANT TO STIPULATION, IT IS ORDERED.

Dated: _____

Honorable William H. Alsup
United States District Judge